IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 14481 of 2004

Between:

1 M.N.Nanjundeswara Babu, s/o Narayana Murthy,
r/o Hindupur, Anantapur District.
2 K.S.Jagannatha Setty, s/o Subbaiah,
r/o Hindupur, Anantapur District.
3 G.Satyanarayana, s/o Thirupathaiah,
r/o Hindupur, Anantapur District.

..... PETITIONERS

AND

1 State of Andhra Pradesh rep., by its Secretary

to Government, Higher Education Department,
Secretariat, Hyderabad.
2 The Commissioner of Colliegiate Education,

Andhra Pradesh, Hyderabad.
3 S.D.G.S.College, Hindupur, Ananthapur

District rep., by its Secretary and Correspondent

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring as illegal and arbitrary the action of the 2nd respondent in not regularising/absorbing the petitioners into aided vacancy of Attenders as per proposal submitted by the 3rd respondent in Rc.No.130/A1/1999 dated 07-02-2003 and issue a consequential direction to the respondents to further regularise/absorb

the petitioners into aided vacant posts from the date of their first appointment with all other consequential benefits like seniority, increments, arrears of salary.

Counsel for the Petitioner: MR.D.V.SITARAMAMURTHY

Counsel for the Respondent Nos.1 and 2: GP FOR EDUCATION

Counsel for the Respondent No.3: None Appeared.

The Court at the stage of admission made the following:

HONOURABLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.14481 OF 2004

ORAL ORDER:

The petitioners contended that they have been working as non-teaching staff on adhoc basis in the third respondent college. The petitioners further contended that the Government of Andhra Pradesh through G.O.Ms.No.193 General Administration Department, dated 14-03-1990 formulated a scheme for regularization of services of persons appointed on daily wage/N.M.R or consolidated pay who are continuing on the date of commencement of the Act 2 of 1994 and issued G.O.Ms.No.212, Finance and Planning Department, dated 22-04-1994 for regularization of services of such employees subject to fulfillment of certain conditions. The petitioners contended that they fulfilled all the conditions and they are eligible for regularization of their services as per G.O.Ms.No.212 of 1994. The petitioners further contended that the third respondent college made a proposal for absorption of the petitioners in the existing vacancies of aided posts of Class IV and a letter was sent to the second respondent on 07-02-2003 and also issued a reminder on 25-04-2003 about the earlier proposal for acceptance of the proposal.

2. The grievance of the petitioners is that so far the second respondent did not pass any orders on those proposals and they are pending with the second respondent, therefore, the petitioners approached this Court seeking a direction to the second respondent to pass appropriate orders on the proposals made by the third respondent for absorption of the petitioners to regular aided posts.

3. In the light of the submissions made by the petitioners counsel, the second respondent is directed to pass appropriate orders on the proposal of the

third respondent dated 07-02-2003 as per the existing Rules and the departmental instructions within two months from the date of receipt of a copy of this order and communicate the same to the petitioners.

4. The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.YETHIRAJULU, J.

17th August, 2004.

SKM

Note:

Furnish C.C. within 2 days.

B/o.

skm

TO

1 Secretary to Government, State of Andhra Pradesh,

Higher Education Department, Secretariat, Hyderabad.
2 The Commissioner of Colliegiate Education,

Andhra Pradesh, Hyderabad.
3 Two C.Cs. to G.P. for Education, High Court Buildings,

High Court of A.P., Hyderabad, (OUT)

4 Two C.D.Copies.